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SUBJECT: IRAN: 'BUTCHER OF TEHRAN' TO BE SACRIFICIAL LAMB?

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REASON: 1.4(B), (D)

¶1. (C) SUMMARY: A January 10 Majlis report placed blame for the death of three post-election detainees at the South Tehran 'Kahrizak' detention facility squarely on former Tehran Prosecutor General Saeed Mortazavi, whom the commission also accused of lying. A Majlis 'Special Commission' formed in August 2009 in the wake of the detainee abuse scandal drafted the report, which was read in Majlis open session on January 10, one day after Mortazavi began his new position in the Ahmadinejad Administration as head of an office to combat smuggling. Despite being long reviled by moderates for relentless attacks on reformers both during his tenure as a Tehran judge then subsequently as Tehran Prosecutor General, it is unlikely that Mortazavi - a regime loyalist with a long history of doing the leadership's dirty work - will be harshly punished for his role in detainee abuse. If that is the case, the Majlis move to publicly shame Mortazavi has little chance of placating oppositionists' calls for justice. END SUMMARY.

After Months of Silence, Majlis Report Released

¶2. (SBU) On January 10 The Majlis read in open session and released the final report of its special commission established in August 2009 to investigate allegations of post-electoral detainee abuse. The commission came into being following the death of Mohsen Ruholamini, son of a prominent conservative figure, in Tehran's Kahrizak detention facility after being arrested for participating in protests after the disputed June 12 election. When Ruholamini's father refused to accept the official cause of death, listed as meningitis, the subsequent consternation among establishment elites led Supreme Leader Khamenei to close the facility and gave cover to Majlis members to create the investigatory commission.

Mortazavi in the Cross Hairs

¶3. (SBU) The 4,000-word report found that three detainees among a group of 147 demonstrators arrested on July 9 in Tehran died as a result of beating by prison officials and physical neglect. The commission pinned blame for the scandal squarely on Saeed Mortazavi, then Tehran's Prosecutor General, finding that he had directly (and inappropriately) ordered the transfer of the prisoners to Kahrizak. In addition, the report states that Mortazavi lied to the Majlis commission on two points: first, that he sent the prisoners to Kahrizak because Tehran's primary detention facility (Evin Prison) was full; and secondly that the three prisoners who died in detention after being beaten and then

denied medical care - Mohsen Ruholamini, Mohammad Kamrani, and Amir Javadifar - had actually died of meningitis.

¶4. (SBU) In fact, the report says, testimony and evidence presented by the director of Evin contradicts Mortazavi's claim that he had no choice but to send the detainees to Kahrizak, a facility that was supposed to be restricted to violent offenders. The commission pointed to the Judiciary's own December admission that the three men died as a result of beatings in detention as directly refuting Mortazavi's insistence to the committee that three men died of meningitis. The panel recommended the Tehran Judiciary officials(i.e. Mortazavi) be held accountable.

Murder Yes, But Definitely No Rape

¶5. (SBU) Elsewhere in the report, the Majlis commission concluded that after an "exhaustive inquiry" into allegations of sexual abuse at Kahrizak and other detention facilities, to include a "long meeting" with presidential candidate Mehdi Karrubi who first publicized the charges, the panel was able to "definitively dismiss" all allegations of sexual abuse of prisoners.

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Timing Is Everything

¶6. (SBU) After months of inactivity by the Majlis commission, the report's conclusions were leaked to the press on January 7, which was also Mortazavi's last day as Deputy Prosecutor General, a position he received in August 2009 in the midst of the Kahrizak scandal and after a thirteen-year tenure as Tehran chief prosecutor. In December, following months of speculation about Mortazavi's professional fate, President Ahmadinejad appointed to head up an executive branch office to counter smuggling.

¶7. (C) COMMENT: The public release of the parliamentary probe indicates at least some elements of the government are poised to scapegoat Saeed Mortazavi, long known for doing the regime's dirty work as Tehran's lead prosecutor. One IRPO contact noted that the powers that be may have calculated that by sacrificing Mortazavi, who is well known internationally due to his alleged involvement in the 2003 beating death of Iranian-Canadian Zahra Kazemi and reviled by moderate Iranians for his relentless attacks against reformist politicians and newspapers, the regime hoped to staunch criticism of its rapidly deteriorating human rights record. Another contact compared Mortazavi to Saeed Emami, an intelligence official who became the regime's fall guy for the late-1990s "chain murders" of Iranian intellectuals and then conveniently committed suicide in prison.

¶8. (C) COMMENT (cont.): If offering up Mortazavi was intended to placate the opposition, early indications suggest the move is too little, too late. Opposition websites quickly criticized the Majlis commission for rejecting well-documented rape claims as well as failing to look into other abuses, such as the November 2009 suspicious death of a young doctor who reportedly witnessed abuse at Kahrizak. It is too early to predict Mortazavi's ultimate fate. Long thought to derive his professional impunity directly from Supreme Leader Khamenei, it is possible that an aggrieved Mortazavi would become an toxic liability to the regime's leadership. END COMMENT.
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